



December 12, 2003

Pawtucket man is charged with federal drug and firearms offenses

A federal grand jury has charged **Jonathan Hernandez**, 19, of Pawtucket, with drug trafficking and firearms offenses. In April, Pawtucket Police found a handgun and quantities of crack cocaine, heroin, and marijuana in the Barton Street Apartment where Hernandez was staying.

The Office of the United States Attorney and Monty J. Monteiro, Resident Agent in Charge of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), announced a five-count indictment, which the grand jury returned on December 10 in U.S. District Court, Providence. The indictment supplants a federal complaint that was brought against Hernandez in June.

According to an affidavit supporting the complaint, on April 11, detectives from the Pawtucket Police Special Squad executed a state authorized search warrant at Hernandez's apartment at 152 Barton Street. Secreted beneath some floor boards, detectives found packages of crack cocaine, heroin, and marijuana. They also found a loaded .380 caliber semi-automatic pistol. Hernandez, who arrived home during the search, was arrested on state charges.

The United States Attorney is prosecuting the case under a **Project Safe Neighborhoods** initiative in which firearms cases are jointly reviewed by the Rhode Island Attorney General's Office and the U.S. Attorney's Office to determine where best to prosecute them. Project Safe Neighborhoods is a Department of Justice initiative against gun crimes and gun violence.

-more-

The indictment charges Hernandez with possessing with intent to distribute more than 50 grams of crack cocaine and possessing with intent to distribute marijuana. It also charges him with possessing heroin, possessing a firearm in furtherance of drug trafficking, and being a felon in possession of a firearm.

An indictment is merely an allegation and a defendant is presumed innocent unless and until proven guilty. The statutory maximum penalty for the offenses charged in the indictment are: possessing with intent to distribute more than 50 grams of crack cocaine – life imprisonment and a \$4,000,000 fine, with a mandatory minimum sentence of five years; possessing with intent to distribute marijuana – five years imprisonment and a \$250,000 fine; possessing heroin – one year in prison and a \$1,000 fine; possessing a firearm in furtherance of drug trafficking – a minimum of five years, consecutive, and a maximum of life imprisonment plus a \$250,000 fine; being a felon in possession of a firearm – ten years imprisonment and a \$250,00 fine.

Exact sentencing for any defendant convicted would be determined on the basis of federal sentencing guidelines, which take into account such factors as the specific nature and impact of an offense and a defendant's criminal background, if any.

Hernandez is detained at the Rhode Island Adult Correctional Institutions. He will be brought into U.S. District Court for arraignment.

Pawtucket Police and ATF investigated the case. Assistant U.S. Attorney Peter F. Neronha is prosecuting it for the government.